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FILED

Jan 20 2023

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 SHAHNAM DAVANI,

17 Defendant,

18 PLASTIKON INDUSTRIES, INC. and
19 GOLDMAN SACHS & CO. LLC,

20 Garnishees.

CASE NO. CR 04-224-001 JSW

WRIT OF CONTINUING GARNISHMENT
(WAGE GARNISHMENT)

21 TO: Goldman Sachs & Co. LLC
22 c/o C T Corporation System
23 28 Liberty St.
New York, NY 10005

24 **YOU ARE HEREBY COMMANDED TO GARNISH FOR THE BENEFIT OF THE**
UNITED STATES OF AMERICA PROPERTY IN YOUR POSSESSION IN WHICH THE
DEFENDANT-JUDGMENT DEBTOR HAS A SUBSTANTIAL NONEXEMPT INTEREST.
THIS INCLUDES PROPERTY HELD IN THE NAME OF HIS SPOUSE.

1 The name, last known address and last four digits of the social security number of the person
2 who is the defendant-judgment debtor (“defendant”) in this action and whose property is subject to this
3 Writ are as follows:

4 Shahnam Davani
5 127 Red Hill Circle
6 Tiburon, CA 94920
7 Social Security Number (last four digits): XXX-XX-7791

8 The name, last known address and last four digits of the social security number of the person
9 who is the spouse of the defendant in this action and whose property is also subject to this Writ are as
follows:

10 Bernadette Gomez
11 127 Red Hill Circle
12 Tiburon, CA 94920
13 Social Security Number (last four digits): XXX-XX-5142

14 California is a community property state. Pursuant to California Family Code §§ 760, 910, *inter*
15 *alia*, both spouses are liable for a debt incurred by either spouse before or during marriage.
16 Accordingly, Bernadette Gomez is also liable for payment of the judgment imposed upon her spouse,
Shahnam Davani.

17 This Writ has been issued at the request of the United States of America to enforce the collection
18 of a criminal judgment entered in favor of the United States against the defendant for a debt in the
19 original amount of \$295,600.00. There current balance is approximately \$513,914.95. The United
20 States is entitled to recover a surcharge of ten percent (10%) of the amount of the balance (\$51,391.49)
21 pursuant to 28 U.S.C. § 3011(a). Thus, the total amount sought by this action is \$565,306.44.

22 The following are the steps that you must take to comply with this Writ. If you have any
23 questions, you should consult with your attorney.

24 1. Pursuant to 28 U.S.C. § 3205(c)(2)(F), if you have in your custody, control, or possession
25 any property of the defendant’s spouse (including nonexempt disposable earnings from her wages,
26 salary, commissions or bonuses) in which the defendant’s spouse has a substantial nonexempt interest,
27 or if you obtain custody, control, or possession of such property while this Writ is in effect, you must
immediately withhold such property from the defendant’s spouse and retain it in your possession until

1 you receive instructions from the Court which will tell you what to do with the property. With respect to
2 the defendant's spouse's wages, salary, commissions or bonuses; you must withhold twenty-five percent
3 (25%) of such amount(s) after all deductions required by law have been withheld. See 28 U.S.C.
4 §§ 3205(a) and 3002(9).

5 2. Pursuant to 28 U.S.C. § 3205(c)(2)(E), you are required to answer this Writ within **10**
6 **days** after service of this Writ upon you. You must answer the Writ even if you do not have in your
7 custody, control, or possession, any property of the defendant's spouse. Pursuant to 28 U.S.C. §
8 3205(c)(4), your answer must state, under oath, the following information:

9 a. Whether or not you have in your custody, control, or possession, any property
10 owned by the defendant's spouse in which the defendant's spouse has a substantial nonexempt interest,
11 including nonexempt disposable earnings;

12 b. a description of such property and the value of such property;

13 c. a description of any previous garnishments to which such property is subject and
14 the extent to which any remaining property is not exempt; and

15 d. the amount of the debt you anticipate owing to the defendant's spouse in the
16 future and whether the period for payment will be weekly or another specified period.

17 For your convenience, a form which addresses the above-requested information is attached and
18 may be used to answer the Writ.

19 3. After you complete the answer under oath, pursuant to 28 U.S.C. § 3205(c)(2)(E) and
20 (c)(4), within ten (10) days after service of this Writ upon you, you must **mail or deliver** the original
21 answer bearing the original signature of the person preparing the answer to the Court at the following
22 address:

23 Ronald V. Dellums Federal Building
24 & United States Courthouse
25 Attn: Clerk of Court
26 1301 Clay Street
27 Oakland, CA 94612
28

1 At the same time you mail or deliver the original answer to the Court, you must also mail or
2 deliver a copy of the original answer to the defendant and his attorney, defendant's spouse and her
3 attorney, and the attorney for the United States at the following respective addresses:

4 Shahnam Davani
5 127 Red Hill Circle
Tiburon, CA 94920

6 Attorney for Shahnam Davani
7 Christopher Cannon, Esq.
Sugarman & Cannon
8 737 Tehama Street, Unit 3
San Francisco, California 94103

9
10 Bernadette Gomez
11 127 Red Hill Circle
Tiburon, CA 94920

12 Attorney for Bernadette Gomez
13 Edward Swanson, Esq.
14 Swanson & McNamara LLP
300 Montgomery St., Suite 1100
San Francisco, CA 94104

15 Vivian F. Wang
16 Assistant U.S. Attorney
17 450 Golden Gate Avenue, 9th Floor
P.O. Box 36055
18 San Francisco, CA 94102

19 Please note that the attached form answer contains a certificate of service which needs to be
20 completed by the person mailing the copies of the answer to the defendant's spouse and the attorney for
21 the United States, and which needs to be filed with the Court along with the answer.

22 **IF YOU FAIL TO ANSWER THIS WRIT OR FAIL TO WITHHOLD PROPERTY IN**
23 **ACCORDANCE WITH THIS WRIT, THE UNITED STATES MAY PETITION THE COURT**
24 **FOR AN ORDER REQUIRING YOU TO APPEAR BEFORE THE COURT TO ANSWER THE**
25 **WRIT AND TO WITHHOLD PROPERTY IN ACCORDANCE WITH THE WRIT BEFORE**
26 **THE APPEARANCE DATE. IF YOU FAIL TO APPEAR OR DO APPEAR AND FAIL TO**
27 **SHOW GOOD CAUSE WHY YOU FAILED TO COMPLY WITH THIS WRIT, THE COURT**

1 **WILL ENTER A JUDGMENT AGAINST YOU FOR THE VALUE OF THE DEFENDANT'S**
2 **NONEXEMPT INTEREST IN SUCH PROPERTY (INCLUDING NONEXEMPT DISPOSABLE**
3 **EARNINGS). THE COURT MAY ALSO AWARD A REASONABLE ATTORNEY'S FEE TO**
4 **THE UNITED STATES AND AGAINST YOU IF THE WRIT IS NOT ANSWERED WITHIN**
5 **THE TIME SPECIFIED HEREIN AND IF THE UNITED STATES FILES A PETITION**
6 **REQUIRING YOU TO APPEAR.**



7
8 MARK B. BUSBY,
9 Clerk of Court
10 United States District Court
11 for the Northern District of California

A handwritten signature in black ink that reads "Jessie Mosley".

12 Dated: January 20, 2023

13 By: Jessie Mosley
14 Deputy Clerk